

REMARKS

The Office Action mailed April 22, 2003 has been reviewed and the Examiner's comments carefully considered. Claims 1, 3 and 9 are canceled. Claim 4 is amended. Thus, claims 2, 4-8 and 10 are pending.

The allowance of claims 2 and 10 is acknowledged with appreciation. Applicant also acknowledges that claim 8 contains allowable subject matter.

Claims 4-7 are rejected under 35 U.S. C. 102(e) as being anticipated by U.S. Patent 6,275,146 (Kithil). The rejection should be withdrawn because Kithil fails to disclose, teach or suggest the claimed invention. In particular, Kithil fails to disclose a means for determining apparatus that "is configured to determine that a child is sitting directly on the seat when the output of said seat weight sensor exceeds *the first threshold value* and is not more than *a second threshold value* and when said human body proximity sensor detects the proximity of the human body" as called for in claim 4.

Kithil discloses a system that includes capacitive sensors 5 and a weight detecting device 9. (Col. 5, lines 18-28). The system only assigns a single threshold value (i.e., 25 pounds) to the weight detecting device 9. (Col. 5, lines 36-39, Table 1). Table 1 of Kithil lists three threshold values. One threshold value is assigned to the roof capacitive sensor, one threshold value is assigned to the instrument panel (IP) capacitive sensor and one threshold value is assigned to the weight detecting device. Kithil fails to disclose, teach or suggest an apparatus configured to determine that a child is sitting on a seat based on comparison between the output of the seat weight sensor and two threshold values. Thus, the rejection should be withdrawn. Reconsideration and withdrawal of the rejection is respectfully requested.


Claims 5-7 depend from claim 4 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations contained therein.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would expedite allowance of the application.

Respectfully submitted,

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By: 
Howard N. Shipley
Attorney for Applicant
Registration No. 39,370

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5582

Facsimile: (202) 672-5399

SHOULD ADDITIONAL FEES BE NECESSARY IN CONNECTION WITH THE FILING OF THIS PAPER, OF IF A PETITION FOR EXTENSION OF TIME IS REQUIRED FOR TIMELY ACCEPTANCE OF SAME, THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE DEPOSIT ACCOUNT NO. 19-0741 FOR ANY SUCH FEES; AND APPLICANT(S) HEREBY PETITION FOR ANY NEEDED EXTENSION OF TIME.